



Customer No. 22,852

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**Sir:**

### INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO 1449. To the best of Applicant's knowledge, this Information Disclosure Statement is being filed before the issuance of a first Office Action on the merits.

Each document listed in this Information Disclosure Statement was first cited in a communication from the U.S. Patent and Trademark Office in a counterpart PCT application, and this Information Disclosure Statement is being filed within three months of the mailing date of that communication. Copies of the listed documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached 1449 Form.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 2, 2003

By: 

Jay A. Stelacone  
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